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13 DEPUTY SHERIFF JUSTIN CHURCH;
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24 JAN MAGNUSEN

25 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAN MAGNUSEN,

No. C 07 4307 EDL

Plaintiff

JOINT CASE MANAGEMENT
STATEMENT

v.

COUNTY OF CONTRA COSTA , et
al.,

[Civil Local Rule 16-9]

Defendants.

1 The parties to the above-entitled action jointly submit
2 this Joint Case Management Statement pursuant to Civil
3 Local Rule 16-9.

4 1. Jurisdiction and Service: Basis for jurisdiction is
5 federal question, based on plaintiff's claim under 42
6 U.S.C. 1983. Justin Church has not been served, but
7 defense counsel has authority to appear for him.

8 2. Facts: Plaintiff claims he was subjected to
9 unreasonable force by Deputy Church, and was improperly
10 accused of obstruction of justice and then resisting arrest
11 after Deputy Church attempted to arrest him. Plaintiff
12 asserts a Monell claim based on the County's policies.
13 Defendants deny plaintiff's claims.

14 3. Legal issues: Primary legal issues are excessive
15 force and qualified immunity.

16 4. Motions: Defendants anticipate bringing a motion
17 for summary judgment.

18 5. Amendment of Pleadings: None anticipated.

19 6. Evidence Preservation: Evidence has been preserved
20 by the parties.

1 7. Disclosures: The parties are in the process of
2 completing Initial Disclosures, which will not be
3 voluminous.

4 8. Discovery: Plaintiff has served, and defendants
5 have responded to, an initial request for production of
6 documents.

8 9. Class Actions: Not applicable.

9 10. Related Cases: None.

10 11. Relief: Plaintiff seeks money damages and
11 attorney fees pursuant to law.

12 12. Settlement and ADR: The parties have stipulated
13 to mediation through the court's ADR program.

15 13. Consent to Magistrate Judge For All Purposes The
16 parties will stipulate to consent to a magistrate judge for
17 all purposes.

18 14. Other References: None appropriate at this time.

19 15. Narrowing of Issues: None appears appropriate at
20 this time.

22 16. Expedited Schedule: None appears appropriate at
23 this time.

24 17. Scheduling: The parties request a trial date in
25 October 2008, with non-expert discovery cut-off in June

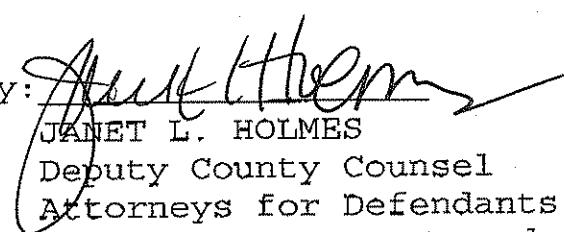
1 2008, dispositive motion filing deadline August 2008,
2 expert disclosure deadline July 2008, expert discovery
3 deadline August 2008.

4 18. Trial: Jury trial requested by plaintiff and
5 defendants. Trial anticipated to consume four court days.
6

7 19. Disclosure of Non-party Interested Entities or
8 Persons: None required.

9 20. Other: Nothing anticipated at this time.

10 DATED: November 6, 2007 SILVANO B. MARCHESI
11 COUNTY COUNSEL

12
13 By: 
14 JANET L. HOLMES
15 Deputy County Counsel
16 Attorneys for Defendants
17 CONTRA COSTA COUNTY and
18 WARREN RUPF

19 DATED: November 6, 2007 CASPER, MEADOWS, SCHWARTZ & COOK

20 By: 
21 ANDREW C. SCWHARTZ
22 Attorneys for plaintiff
23 JAN MAGNUSEN
24
25